

NOV 19 2007
U.S. PATENT & TRADEMARK OFFICE
TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Complete if Known

Application Number	10/735,307
Filing Date	December 12, 2003
First Named Inventor	Johnson
Art Unit	3621
Examiner Name	Negrón

Total Number of Pages In This Submission

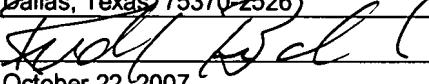
31

Attorney Docket Number 840468-605001

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Inquiry
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Rudolph J. Buchel Jr. (Reg. No. 43,448) Rudolph J. Buchel, Jr., P.C. P.O. Box 702526 Dallas, Texas 75370-2526
Signature	
Date	October 22, 2007

CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Rudolph J. Buchel Jr.		
Signature		Date	October 22, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Fees pursuant to the Consolidated Appropriations Act 2005 (H.R. 4818)

Complete if Known

Fee Transmittal
For FY 2008

NOV 19 2007

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$750.00

Application Number	10/735,307
Filing Date	December 12, 2003
First Named Inventor	Johnson
Art Unit	3621
Examiner Name	Negrón
Attorney Docket No.	840468-605001

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 50-3328 Deposit Account Name: Rudolph J. Buchel, Jr., P.C.
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

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FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fees Paid (\$)
Utility	310	155	510	255	210	105	\$ 0.00
Design	210	105	100	50	130	65	\$ 0.00
Plant	210	105	310	155	160	80	\$ 0.00
Reissue	310	155	510	255	620	310	\$ 0.00
Provisional	210	105	0	0	0	0	\$ 0.00

2. EXCESS CLAIM FEES

Fee Description

	Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185

Multiple Dependent Claims

Total Claims	Extra Claims	Fee (\$)	Fees Paid (\$)	MD Claims	Fee (\$)	Fees Paid (\$)
50	-20 or HP=	30	x 25 = \$ 750.00	0	\$180	\$ 0.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fees Paid (\$)
3	-3 or HP=	0 x 100 = \$ 0.00	

HP = highest number of total claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

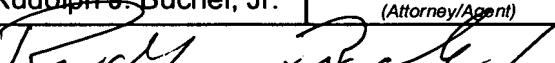
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fees Paid (\$)
0	-100	0 / 50 = 0 (round up to a whole number) x	\$120 =	\$ 0.00

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)
Other (e.g., late filing surcharge): \$ 0.00
\$ 0.00

SUBMITTED BY

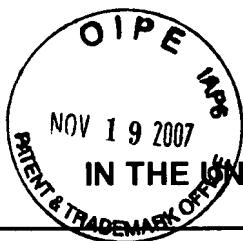
(Complete if applicable)

Name (Print/Type)	Rudolph J. Buchel, Jr.	Registration No. (Attorney/Agent)	43,448	Telephone (972) 930-9449
Signature			Date	October 22, 2007

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	10/735,307	Confirmation No.	:	4351
Applicant	:	Johnson			
Filed	:	December 12, 2003			
TC/AU	:	3621			
Examiner	:	Negrón			
Docket Number	:	840468-605001			
Customer No.	:	41498			
Re	:	Non-Intrusive Data Transmission Network for Use in an Enterprise Facility and Method for Implementing			
Date of Interview	:	October 18, 2007			
Claim(s)	:	1 and 14-18			
Discussed					

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

Sirs:

Applicant's representative initiated a telephonic interview and was granted same on the date specified above. Examiner Negrón represented the U.S. Patent and Trademark Office (USPTO) and Rudolph J. Buchel, Jr. represented the Applicant for the application identified above. Also present was the Examiner's Primary Examiner. ***The primary issue, and the subject of the interview was the availability of U.S. Patent Publication No.2002/0104098 (the '098 publication) to Zustak et al. as applied to claims 1 and 14 – 18 in the above-identified U. S. patent application and as applied over proposed amendments to the claims.***

Applicant's representative suggested amendments to the base claims that include a video sensor, a memory for retaining video data, a motion detector for detecting motion and in response generating a motion indication, and a video processor for receiving motion indications from the motion detector and retaining video in the memory based on the presence of a motion indication. Applicant's representative further suggested limiting the field of use of the invention to the healthcare industry as the proposed

amendments to the claimed invention incorporates a video processor which retains only video frames after receiving a motion indication from the motion detector. The use of that processor in combination with the other features were thought to be of particular importance to surveillance applications in the healthcare industry.

Examiner Negrón agreed that the proposed amendments would overcome the rejections based on the '098 publication, but clearly stated that an update search was necessary before a final decision on patentability could be made. Examiner Negrón disagreed that limiting the field of use would place the application in better condition for allowance.

Although agreement was reached on certain issues that appeared to overcome the cited prior art, no agreement was reached on other issues. Presently, the application stands rejected.

Applicant's representative appreciates the Examiner's immediate granting the telephonic interview. In addition, Applicant's representative wishes to express sincere appreciation for the Examiner's preparedness, her candor and her extraordinary attention to detail in the examination of this case.

DATE: October 22, 2007

Respectfully submitted,



Attorney for Applicant

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